

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD A. McCURDY, JR., et al.	:	CIVIL ACTION
	:	
	:	NO. 02-2879
v.	:	
	:	
WILLIAM STANCILL, et al.	:	

O R D E R

AND NOW, upon consideration of the Motion of Plaintiffs to Compel More Specific Answers to Interrogatories and Request for Production of Documents, it is hereby ORDERED and DECREED that Defendant, F&A Sales and Service, Inc. shall within five (5) days of the date of this Order, provide full and complete answers to the following interrogatories: 8, 9 and 11 and the following requests for production of documents: 1, 2, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 23 and 28.

It is further ORDERED that Plaintiffs' counsel shall be entitled to file an Affidavit of Costs within five (5) days of this Order and shall be reimbursed by the Defendants for costs associated with the filing of this Motion.

BY THE COURT:

Dalzell, J.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD A. McCURDY, JR., et al. : CIVIL ACTION
: NO. 02-2879
v. :
: WILLIAM STANCILL, et al. :

**MOTION OF PLAINTIFFS TO COMPEL DEFENDANTS,
F&A SALES & SERVICE, INC. TO PROVIDE
MORE SPECIFIC ANSWERS TO INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS**

Plaintiffs, by and through their attorneys, Masterson, Braunfeld & Milner, LLP, hereby move this Court pursuant to Federal Rule of Civil Procedure 37 for an Order compelling to provide more specific answers to Plaintiffs' Interrogatories and Request for Production of Documents and in support thereof aver as follows:

1. On or about August 8, 2002, Plaintiffs served Defendant, F&A Sales and Service, Inc., with Interrogatories in the form set forth in Exhibit "A" hereto.
2. On or about August 8, 2002, Plaintiffs served Defendant, F&A Sales and Service, Inc. with Request for Production of Documents in the form set forth as Exhibit "B" hereto.
3. On or about September 26, 2002, Defendant served Plaintiffs with the Answers to Interrogatories set forth as Exhibit "C" hereto.

4. On or about September 26, 2002, Defendant, F&A Sales and Service, Inc. served Plaintiffs with the responses attached as Exhibit "D" hereto to Plaintiffs' Request for Production of Documents.

5. With respect to interrogatory numbers 8 and 9, Defendant responded "to be supplied."

6. With respect to requests for production of documents numbers 1, 2, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 23 and 28, Defendant responded "to be supplied."

7. Plaintiffs require full and complete responses to the preceding discovery requests in order to timely complete discovery and prepare for trial.

8. Interrogatory number 11 inquired as to the identity of every general contractor for whom F&A performed work as a subcontractor in the five-county Philadelphia Metropolitan area.

9. Defendant's response to interrogatory number 11 was unresponsive and provided as follows: F&A was not a party to a collective bargaining agreement which is the subject of this litigation.

10. Plaintiffs respectfully submit that the inquiry is relevant to the issue of alter ego and piercing the corporate veil and that Defendants response to interrogatory number 11 is evasive and incomplete.

WHEREFORE, Plaintiffs respectfully request this Honorable Court enter the attached Order requiring Defendant, F&A Sales & Service, Inc. to provide full and complete responses to discovery within five (5) days.

Respectfully submitted,

MASTERSON, BRAUNFELD & MILNER, LLP

By:

Nancy L. Goldstein, Esquire
Identification No. 40019
Suite 702, One Montgomery Plaza
Norristown, PA 19401
(610) 277-1700
Attorney for Plaintiffs

CERTIFICATION OF GOOD FAITH

I hereby certify that I have conferred with Gary Gusoff, Esquire, in an effort to resolve these issues without the need for court action.

Nancy L. Goldstein, Esquire

CERTIFICATION OF SERVICE

I, Nancy L. Goldstein, Esquire hereby certify that on the 11th day of October, 2002, I caused a true and correct copy of the Motion of Plaintiffs to Compel Defendants, F&A Sales & Service, Inc. to Provide More Specific Answers to Interrogatories and Request for Production of Documents to be served upon the following counsel counsel by transmitting same via facsimile number (215) 717-1220.

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Philadelphia, PA 19103
215-717-1212
Attorney for Defendant
William Stancill

MASTERSON, BRAUNFELD & MILNER, LLP

By:

Nancy L. Goldstein, Esquire

Dated: _____